

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL A. CLAUFF,

Defendant.

4:11-CR-3124

ORDER

This matter is before the Court on the defendant's pro se motion (filing 73) for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2), U.S.S.G. § 1B1.10, and U.S.S.G. § app. C, amend. 782. The defendant's motion will be denied because he was sentenced based on his status as a career offender, not on the drug quantity table.

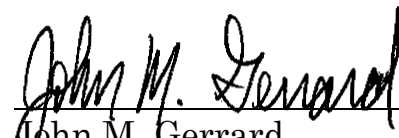
The defendant was sentenced on September 12, 2012, and his guideline range at sentencing was based on his status as a career offender under U.S.S.G. § 4B1.1. Amendment 782 retroactively lowered the guideline range for most drug quantity offenses under U.S.S.G. § 2D.1. *United States v. Thomas*, 775 F.3d 982, 983 (8th Cir. 2014). However, it did not lower the guideline range established for a career offender by § 4B1.1. *Id.* Because Amendment 782 did not alter the defendant's guideline range, he is not entitled to a sentence reduction. See *United States v. Golden*, 709 F.3d 1229, 1231 (8th Cir. 2013).

IT IS ORDERED:

1. The defendant's pro se motion for a sentence reduction (filing 73) is denied.

Dated this 14th day of October, 2015.

BY THE COURT:



John M. Gerrard
United States District Judge